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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,644	01/10/2000	Richard Allen Dunlap	CISCP118	4562

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EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/480,644	DUNLAP, RICHARD ALLEN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Simon Sing	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-20 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-20 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 13-20 and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. US 4,291,198 in view of Kunen US 4,668,877 and Zimmerman US 5,760,714.

1.1 Regarding claims 13 and 25, Anderson teaches a telephone set 10 with a display screen 13 and soft keys 16 in figures 1 and 2. Anderson teaches soft key label sets corresponding to the soft key 16 in figure 8, and each label set has a function (such as call by number, call by menu etc) in a particular context including text strings. Anderson also teaches changing soft key label sets when one on the soft key is pressed (marked by an X in figure 8) (column 13, line 35 to column 14, line 60). Anderson further teaches debouncing keys by either software or hardware, (column 19, lines 35-41). Anderson fails to teach a debouncing time.

However, Kunen teaches a hardware (RC circuitry) debouncing which has a time delay time of more than 100 milliseconds (column 7, lines 56-64), and Zimmerman

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teaches a software debouncing which has a time delay of 40 milliseconds (column 41-49).

Therefore, since during the soft key label set change, the state of the soft keys 16 would have been undefined and it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Anderson's reference with the teachings of Kunen and Zimmerma, so that the debouncing of Anderson would have a time delay, and such delay would have been equal or longer than the changing time of soft key labels, because such modification would have prevented a key entry during an undefined state of the soft keys.

1.2 Regarding claim 14, Anderson teaches a processor with associated software (objects) for handling the soft key label set change (column 13, line 35 to column 14, line 60).

1.3 Regarding claim 15, Anderson teaches masking a previous display (replacing a previous one with a current one) in figure 8.

1.4 Regarding claim 17, Anderson teaches when a soft key label (which is index with a sub menu number) is selected, a next level of soft key labels are displayed in figure 8.

1.5 Regarding claims 19 and 20, it is inherent that a processor in the telephone set 10, determines which context the telephone is at order to change from one soft key label set to another shown in figure 8.

***Allowable Subject Matter***

2. Claims 16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. The following is a statement of reasons for the indication of allowable subject matter:

The prior arts cited fail to teach or suggest the claimed limitation of receiving a software label set from a device located in a remote location (claim 16), or to validate a text string of soft key label set using a valid mask associated with a index (claim 18).

***Response to Arguments***

4. Applicant's arguments with respect to claims 13-20 and 25 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 4,667,183 (Gaudio).

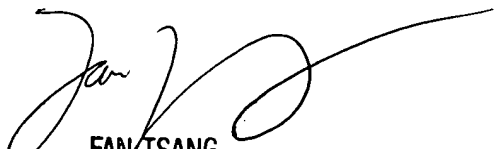
US 5,199,064 (Gulick et al).

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

08/18/2006



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600